

NOTICE AND CALL OF COUNCIL MEETING

Governmental Body:	The City Council of City of Orange City, Iowa
Date of Meeting:	October 2, 2023
Time of Meeting:	4:30 o'clock P.M.
Place of Meeting:	Council Chambers, City Hall, 125 Central Ave SE Orange City, Iowa

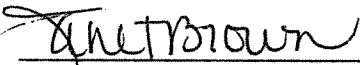
PUBLIC NOTICE IS HEREBY GIVEN that the above mentioned governmental body will meet at the date, time and place above set out. The tentative agenda for said meeting is as follows:

1. Meeting called to order
2. Opening ceremonies
3. Approval of agenda
4. Citizen comments
5. Approval of minutes
6. Resolution ordering demolition of the old MOC-FV Elementary School and set public hearing date to consider bids
7. Community Betterment Board recommendations
8. Dutch front proposal
9. Parking lot contract
10. Property purchase
11. Administrative reports

12. Council comments

13. Adjournment

This notice is given at the direction of the Mayor pursuant to Chapter 28A, Iowa Code, as amended, and the local rules of said governmental body.



Janet Brown, City Clerk of the
City of Orange City, Iowa

COUNCIL MEETING
AGENDA NOTES
October 2, 2023

1. The meeting will be called to order by Mayor Deb De Haan at 4:30 o'clock P.M.
2. Opening ceremonies. Pledge of Allegiance to our flag and a moment of silent prayer.
3. The agenda was prepared, posted, and distributed in accordance with requirements of the Iowa Open Meeting Act.
4. This time is provided for citizen comments. It is suggested that if someone wishes to speak, we also ask for their residence. This time is intended for residents in the City limits.
5. The minutes of the September 18, 2023 council meeting are enclosed for your review. Exhibit 1
6. We will be opening bids for the demolition of the old MOC-FV Elementary School on Friday, October 13, at 10:00 AM. We would like to set a public hearing for Monday, October 16 for Council to consider approval of the low bid for the planned demolition project.
7. The Community Betterment board met on Monday, September 25th. They had four applications to consider. The first application was from Orange City Health Foundation regarding a trail project. The second application was from Orange City Daycare for a shade structure for their playground area. The third application was from the city regarding the Dutch alley which is between State Farm and Craft Central. The final application was from Orange City Development Corporation regarding the vibrant Move Small Live Big campaign. All the projects were approved for their requested amounts. Please see attached exhibit for dollar amounts along with more details about the project. Exhibit 2
8. The Dutch Front Committee has approved the design of the Dutch front for the alley located south of the State Farm building located at 215 Central Ave. NE. On September 25, 2023 the Betterment Committee met and approved \$25,000.00 for the project. The estimated cost for the Dutch front is \$45,896.62. The remaining balance the City would be responsible for is \$20,896.62. This project would be completed in 2024. Exhibit 3
9. The Sioux County Board of Supervisors have approved a contract with the City for a transfer of ownership of the current County owned parking lot to the City. The contract includes an understanding that the City would continue to provide parking in this space and adjust street parking near county owned properties. Exhibit 4
10. The City has an option to purchase property from Michael Leusink as identified in a buy-back agreement from 2013. The area is directly south of our current Puddle Jumper #10 housing development. Staff is seeking Council approval for the purchase of 22.33 acres at the specified cost of \$24,140 per acre. The total expenditure would be \$539,046.20. The purchase will be financed through utility reserves. Exhibit 5

11. Administrative reports:

Scheduled Meetings – Important Dates:

October 16	Council Meeting, 4:30 P.M.
November 6	Council Meeting, 4:30 P.M.
November 7	Election Day
November 20	Council Meeting, 4:30 P.M.
November 30	Strategic Planning Meeting, 9:00 AM to 3:00 PM, PWEC
December 4	Council Meeting, 4:30 P.M.
December 6	Employee Recognition Dinner, PWEC
December 18	Council Meeting, 4:30 P.M.

If you would like additional information about an agenda item or another issue, that would help you or the Council as a whole, please feel free to let me know so I can either get it to you by email or by report at the meeting.

Earl Woudstra
City Office **712-707-4885**
Cell phone **712-737-7115**
Email **earlw@orangecityiowa.com**

The City Council met in semi-monthly session pursuant to adjournment at 4:30 o'clock P.M. on September 18, 2023. A quorum was declared by Mayor Deb De Haan. The meeting was held in the Council Chambers, City Hall, 125 Central Ave SE, Orange City, Iowa.

Members Present: Council members Daryl Beltman, Mark Bloemendaal, Rod De Boer, and Daron De Jong

Members Absent: Council member Olivia Chapman

Staff: Earl Woudstra, Janet Brown, Jim Pottebaum, Kurt Frederes, Matt Van Schouwen, Ryan Mc Ewen, and Kent Anderson

Guests: Doug Calsbeek and Mike Hofman

Agenda: A motion was made by Council member Daron De Jong and duly seconded by Council member Mark Bloemendaal approving the tentative agenda as the official agenda. On call of the roll motion carried. The vote was as follows: AYES: Daron De Jong, Mark Bloemendaal, Rod De Boer, Daryl Beltman; NAYS: None.

Citizen Comments: This time was provided for citizen comments and none were heard.

Approval of Minutes: The minutes of the September 5, 2023 council meeting were presented. A motion was made by Council member Daryl Beltman and duly seconded by Council member Rod De Boer approving said minutes as published. On call of the roll motion carried. The vote was as follows: AYES: Daryl Beltman, Rod De Boer, Mark Bloemendaal, Daron De Jong; NAYS: None.

Financial Report: The monthly financial report for August 2023, representing cash balances for all funds was presented, whereupon it was therefore moved by Council member Mark Bloemendaal and duly seconded by Council member Rod De Boer approving the monthly financial report as published. On call of the roll motion carried. The vote was as follows: AYES: Mark Bloemendaal, Rod De Boer, Daryl Beltman, Daron De Jong; NAYS: None.

Monthly Bills: A Summary of Warrants report listing bills from August 22, 2023 through September 18, 2023 was presented. A motion was made by Council member Daron De Jong and duly seconded by Council member Daryl Beltman approving the monthly bills, subject to audit. On call of the roll motion carried. The vote was as follows: AYES: Daron De Jong, Daryl Beltman, Mark Bloemendaal, Rod De Boer; NAYS: None.

Puddle Jumper Trail Eleventh Addition:

A motion was made by Council member Rod De Boer and duly seconded by Council member Daron De Jong adopting a resolution approving the Puddle Jumper Trail Eleventh Addition final plat. On call of the roll motion carried. The vote was as follows: AYES: Rod De Boer, Daron De Jong, Daryl Beltman, Mark Bloemendaal; NAYS: None. The resolution was assigned number 9-18-23-2079 and appears in the official resolution book.

A motion was made by Council member Rod De Boer and duly seconded by Council member Mark Bloemendaal approving the proposed Puddle Jumper Trail Eleventh Addition Dedication and Plat Provisions, with the following change to Section VI, Lot Price, A: If construction is not begun within 24 months of the date of purchase, all rights shall be forfeited by the purchaser and the City shall re-offer the parcel to the public. The City shall reimburse the purchaser 90% of the purchased price excluding any legal fees. On call of the roll motion carried. The vote was as follows: AYES: Rod De Boer, Mark Bloemendaal, Daryl Beltman, Daron De Jong; NAYS: None.

This being the time and place as advertised a public hearing was held to consider the disposal of City owned property known as Puddle Jumper Trail Eleventh Addition. The Mayor called for comments from members of the audience and no one was heard speaking for or against the proposed disposal. No written objections were filed. The Mayor then closed the time for the public hearing.

A motion was made by Council member Daryl Beltman and duly seconded by Council member Daron De Jong adopting a resolution authorizing the disposal of City owned property, known as Puddle Jumper Trail Eleventh Addition. On call of the roll motion carried. The vote was as follows: AYES: Daryl Beltman, Daron De Jong, Mark Bloemendaal, Rod De Boer;

NAYS: None. The resolution was assigned number 9-18-23-2080 and appears in the official resolution book.

Resolution Approving Canals First Addition Final Plat: A motion was made by Council member Daron De Jong and duly seconded by Council member Mark Bloemendaal adopting a resolution approving the Canals First Addition final plat, which shows changes to the right of ways from the original plat previously approved on August 26, 2022. On call of the roll motion carried. The vote was as follows: AYES: Daron De Jong, Mark Bloemendaal, Daryl Beltman, Rod De Boer; NAYS: None. The resolution was assigned number 9-18-23-2081 and appears in the official resolution book.

Kanaal Huis Dutch Front Reimbursement: City Council approved the Dutch front proposal on November 21, 2022 for Kanaal Huis located at 1311 Canal Court SE, which was estimated at \$715,834.70. Final invoicing exceeded the max reimbursement cost of \$150,000.00, with the City responsible for \$75,000.00. A motion was made by Council member Mark Bloemendaal and duly seconded by Council member Rod De Boer approving the Dutch front reimbursement to Orange City Area Health Foundation for \$75,000.00. On call of the roll motion carried. The vote was as follows: AYES: Mark Bloemendaal, Rod De Boer, Daryl Beltman, Daron De Jong; NAYS: None.

Snow Plow Purchase: A motion was made by Council member Mark Bloemendaal and duly seconded by Council member Daron De Jong approving the purchase of a 2004 Sterling snow plow for \$39,500. On call of the roll motion carried. The vote was as follows: AYES: Mark Bloemendaal, Daron De Jong, Daryl Beltman, Rod De Boer; NAYS: None.

Retail Utility Incentive Program Application: A motion was made by Council member Rod De Boer and duly seconded by Council member Daron De Jong approving the Retail Utility Incentive Program Application as submitted by Jimmy John's. On call of the roll motion carried. The vote was as follows: AYES: Rod De Boer, Daron De Jong, Mark Bloemendaal, Daryl Beltman; NAYS: None.

Resolution Declaring an Official Intent Under Treasury Regulation 1.150-2 to Issue Debt to Reimburse the City for Certain Original Expenditures Paid In Connection with the 18th Street SW Project: A motion was made by Council member Daryl Beltman and duly seconded by Council member Rod De Boer adopting a resolution declaring an official intent under Treasury Regulation 1.150-2 to issue debt to reimburse the City for certain original expenditures paid in connection with the 18th Street SW Project. On call of the roll motion carried. The vote was as follows: AYES: Daryl Beltman, Rod De Boer, Mark Bloemendaal, Daron De Jong; NAYS: None. The resolution was assigned number 9-18-23-2082 and appears in the official resolution book.

Resolution Approving the Official Street Finance Report of Actual and Accrued Expenditures and Receipts for all Funds for Street Purposes for the 2022-2023 Fiscal Year: A motion was made by Council member Mark Bloemendaal and duly seconded by Council member Daron De Jong adopting a resolution approving the official Street Finance Report of actual and accrued expenditures and receipts for all funds for street purposes for the 2022-2023 fiscal year. The vote was as follows: AYES: Mark Bloemendaal, Daron De Jong, Daryl Beltman, Rod De Boer; NAYS: None. The resolution was assigned number 9-18-23-2083 and appears in the official resolution book.

Alcohol License Renewal Application: A motion was made by Council member Rod De Boer and duly seconded by Council member Daron De Jong approving the renewal application for a Class C Retail Alcohol License as submitted by Downtown Grille. On call of the roll motion carried. The vote was as follows: AYES: Rod De Boer, Daron De Jong, Mark Bloemendaal, Daryl Beltman; NAYS: None.

Alcohol License Applications: A motion was made by Council member Daryl Beltman and duly seconded by Council member Daron De Jong approving the application for a Class B Retail Alcohol License as submitted by Family Dollar. On call of the roll motion carried. The vote was as follows: AYES: Daryl Beltman, Daron De Jong, Mark Bloemendaal, Rod De Boer; NAYS: None.

A motion was made by Council member Mark Bloemendaal and duly seconded by Council member Daron De Jong approving the application for a 14-day Special Class C Retail Alcohol License (BW) as submitted by the Chamber of Commerce. The license will begin on September 22, intending to be used on Saturday September 23 and 30. On call of the roll motion carried. The vote was as follows: AYES: Mark Bloemendaal, Daron De Jong, Daryl Beltman, Rod De Boer; NAYS: None.

Strategic Plan Update: Earl updated the Council on progress made on the priorities identified at the November 2022 strategic planning meeting. No official action was taken.

Administrative Reports:

Scheduled Meetings:

September 21	Council candidate filing period ends
October 2	Council Meeting, 4:30 P.M.
October 16	Council Meeting, 4:30 P.M.
November 6	Council Meeting, 4:30 P.M.
November 20	Council Meeting, 4:30 P.M.

Oral reports: Earl will be sending out date options for strategic planning; expressed appreciation for the investment of the Vogel family with the new Innovation Center building. Kurt shared that the City is still following the rental housing ordinance, just not able to enforce an inspection at this point.

Council Comments: The Mayor called for comments from members of the Council and none were heard. Mayor De Haan expressed appreciation for our police officers especially with the Algona tragedy.

Adjournment: No further business appearing it was therefore moved by Council member Rod De Boer and duly seconded by Council member Daron De Jong to adjourn. On call of the roll motion carried. The vote was as follows: AYES: Rod De Boer, Daron De Jong, Mark Bloemendaal, Daryl Beltman; NAYS: None. Adjournment time was 5:15 o'clock P.M.

Deb De Haan, Mayor

ATTEST: _____
Janet Brown, City Clerk

Box 406
Orange City, IA 51041

Wednesday, September 25, 2023
4:30 pm, City Council Chambers

1

C. City of OC Alley Dutch Front

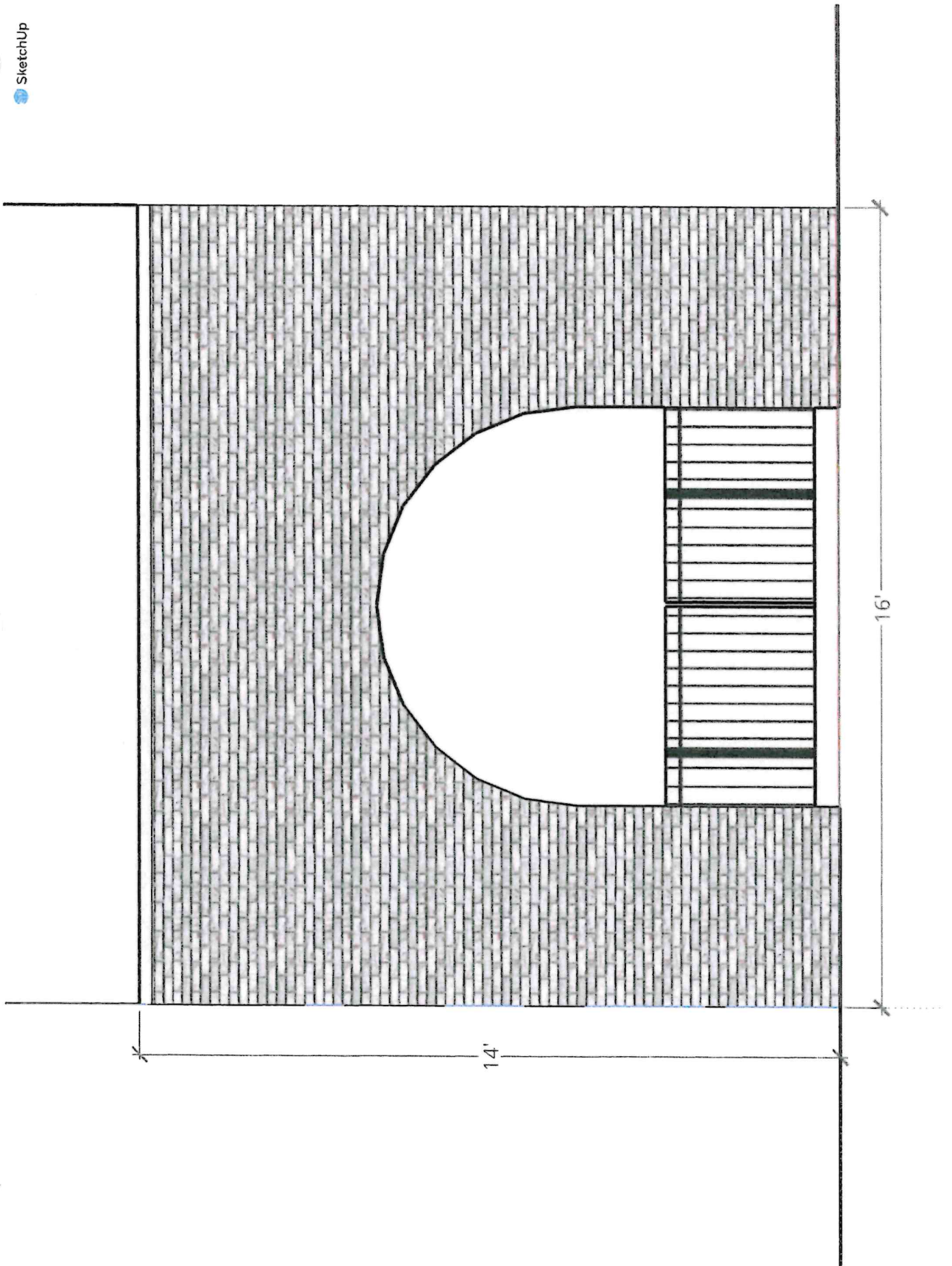
3C. Kurt Frederes was present to ask the community betterment board about requesting funds of \$ 25,000 dollars for replacing the existing Alley Dutch Front between State Farm and Craft Central. The project cost is estimated to be \$ 45,896, which will be a brick front with a LP pre-finished siding for the back of the front. The community betterment board discussed the request and gave approval for the \$ 25,000 dollars with the remaining funds coming from the City. Olivia/Joy m/s to approve the payment. Ayes:4 Nays: 0.

D. Orange City Development Corporation- Ryan McEwen

3D. Mike Hofman was present to discuss the application for Move Small Live Big project along with a photo project. This project will include a targeted social media campaign for promoting Orange City in general and for specific projects. This also includes a photo capture piece that will get us current and updated photos of Orange City events and stock photos that other organizations can use. This campaign is geared to increase awareness of Orange City's amenities and the benefits of living to attract visitors and increase residency. The cost of this project is estimated to be \$ 17,500 dollars with \$ 15,000 for the Vibrant Move Small Live Big portion and the photo campaign being the remaining \$ 2500. The board discussed and approved the request with Joy/Mike m/s to approve the payment of \$17,500. Ayes 4 Nays 0.

Adjourn

5:30 pm @ Council Chambers



Parking Lot Contract

Parties to the agreement are Sioux County (the County) and the City of Orange City (the City).

The County and the City desire to provide safe parking for employees' vehicles, County and City vehicles, guests to City Hall, and County buildings including but not limited to County Engineer, County Treasurer, and DHHS.

Proposal:

The County will transfer ownership of the County owned property, parcel 1732284007, immediately north of the City Hall, to the City of Orange City, a parcel that is 14,200 sq ft, beginning the transfer process no later than December 31, 2023.

The City will create right-of-way (ROW) parking along Central Avenue and 1st Street SE including:

- Two (2) handicap parking spaces and accessible access in front of new County Treasurer location on the east side of Central Avenue.
- Minimum of 3 ROW parking spaces on the east side of Central Avenue at the current parking lot entrance.
- Minimum of 2 ROW parking spaces on the east side of Central Avenue at the current drive through entrance to the former County Treasurer building.
- Minimum of 2 ROW parking spaces on the south side of 1st Street SE at the exit of the drive through.
- Improve the vision for ROW entrance and exit to the adjacent alley – net loss of 1 parking spot.

The City intends to pave the parking lot and create pedestrian access through the current parking lot.

- The parking lot will be marked by paint and will provide 30 to 32 parking spaces that are a minimum of 10' wide. Access to the parking lot will come from the alley directly east of the parking lot.
- Bicycle parking spaces will be added to the parking lot for employees, and guests to public facilities, including the Orange City Municipal Library.
- Two (2) handicap parking locations will be identified in the parking lot.
- The City will provide 8 reserved spaces in the parking lot for County and County related vehicles, i.e. Sioux Rivers and DHHS.
- The City will reserve up to 10 spaces in the lot for City vehicles or employees.
- The remaining 10 to 12 parking spaces will be available for public use on a first come – first served basis, with no overnight parking allowed in these spaces.
- The City will continue to provide 5 parking spaces behind the fire station for use by the County Engineer Office as long as the Engineer's office is in the current location.

Maintenance:

The City will assume maintenance of the sidewalk/grass area between Central Avenue and the parking lot.

The City will remove snow, and apply sand and salt as necessary during the winter season, and occasionally sweep the parking lot during the remainder of the year.

Future repairs and the painting of the parking lot will be the responsibility of the City.

Indemnification and Hold Harmless:

To the fullest extent permitted by law, the County and the City mutually agree to indemnify and hold harmless each other, their officials, employees, and volunteers against any and all claims or loss arising out of each party's negligence, willful misconduct, or failure to comply with the terms of this MOU or any other agreement among the parties related to this parking lot. Such indemnity shall include, without limitation, all reasonable attorney fees, court costs, and other enforcement costs incurred by the party being indemnified.

No Waiver of Immunity:

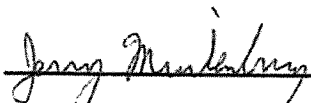
The parties agree that nothing contained in this Agreement shall be construed to waive any defense of governmental immunity available under Iowa Code Chapter 670 as it now exists or may be amended from time to time. Any provisions providing liability or indemnification responsibilities shall apply only to claims not subject to the defense of governmental immunity under Iowa Code Chapter 670. The parties further agree that, for the purposes of this MOU, the parties shall be entitled to exercise the defense of governmental immunity and shall be entitled to the same limits on damages and indemnity obligations as is available to counties and cities under Iowa law. The County and the City expressly agree they are contractually agreeing to the defense and limitation on damages set forth in the Iowa Code so that the defense of governmental immunity is available to all parties. Nothing in this provision shall be construed to require the County or the City to provide or pay for the expense of defense of any claims against the parties.

Additional Considerations:

Portions of the parking lot will be reserved annually for Tulip Festival uses during the third week in May.

The City shall use the parcel as a parking lot through December, 31, 2030, after which the City shall have the right to develop the parking lot property for public use which directly benefits the City. In the event that the property is developed, the County will no longer have parking priority on the property.

While the City shall maintain the property for public use, in the event the City commences the process to dispose of, transfer, sell, or gift this real estate parcel, the County shall be given the first right of refusal before any such disposal, transfer, sale, or gift can take place. In this event, the City will notify the County of the City's intent to sell with the purchase price then determined by agreement or by appraisal.



Sioux County Board of Supervisors Chairman

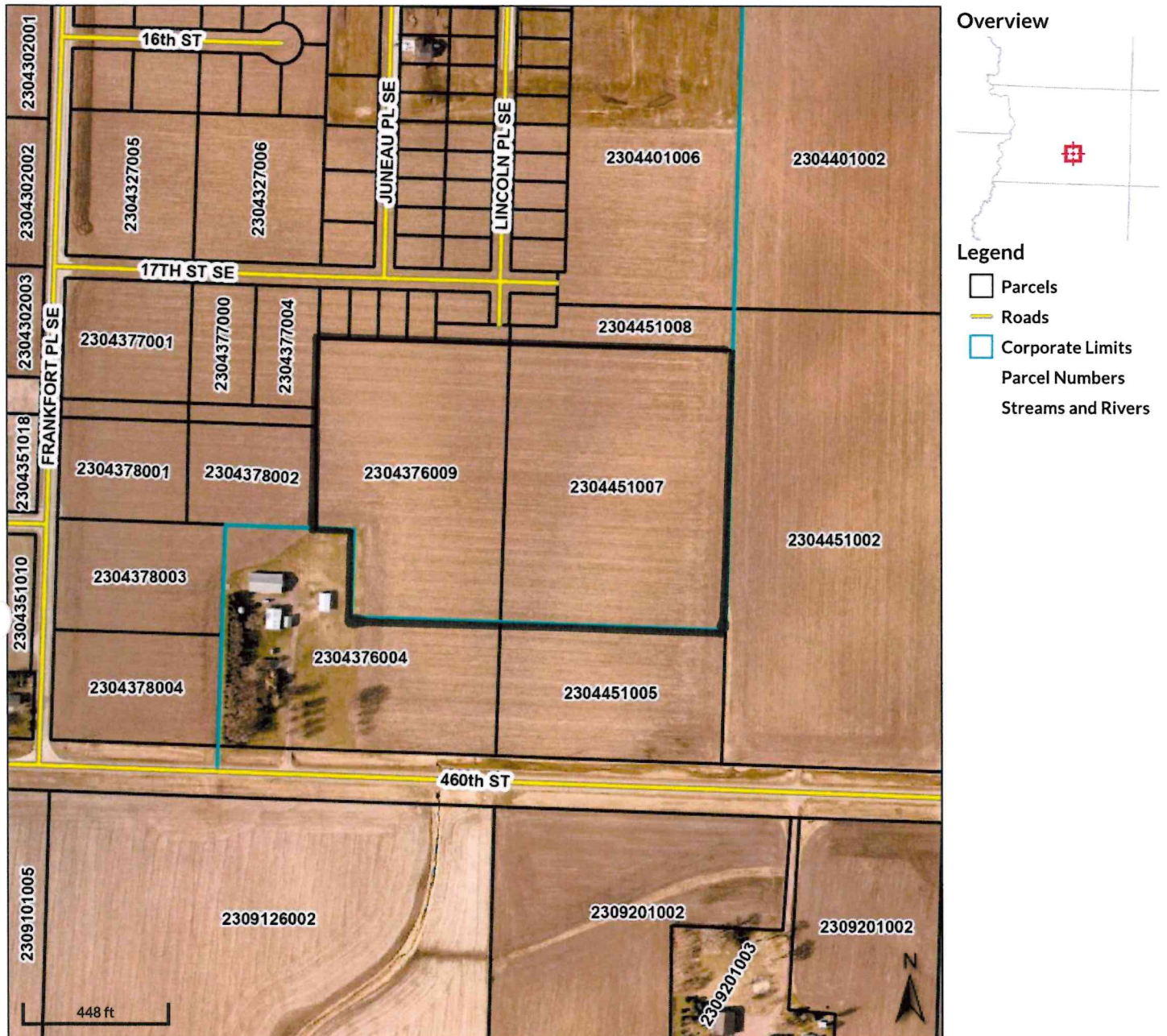
9/26/23

Date

City of Orange City Mayor

Date

Beacon™ Sioux County, IA



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